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16 UNITED STATES DISTRICT COURT

17 NORTHERN DISTRICT OF CALIFORNIA — SAN FRANCISCO DIVISION  
18

19 MARIE GAUDIN, individually, and on behalf  
of others similarly situated,

20 Plaintiff,

21 vs.  
22

23 SAXON MORTGAGE SERVICES, INC., a  
Texas corporation,

24 Defendant.  
25

Case No. 3:11-cv-01663 RS

**CLASS ACTION**

**ADDENDUM TO STIPULATION AND  
(PROPOSED) ORDER GOVERNING  
CONFIDENTIALITY OF DISCOVERY  
MATERIAL**

Complaint filed: 04/26/2011

26 IT IS HEREBY STIPULATED AND AGREED, by and among Plaintiff Marie Gaudin and  
27 her undersigned counsel, and Defendant Saxon Mortgage Services, Inc. and its undersigned  
28 counsel (each a “Party,” and collectively, the “Parties”), pursuant to Rule 26(c) of the Federal

1 Rules of Civil Procedure and Rule 502 of the Federal Rules of Evidence, that:

2 1. This Addendum to the Stipulation and (Proposed) Order Governing Confidentiality  
3 of Discovery Material shall supplement the original Stipulated Protective Order for Standard  
4 Litigation executed by the Parties on February 2, 2012, and entered by the Court on May 9, 2012,  
5 docket entry 57 (together, the "Protective Order").

6 2. Any Party may designate any documents, electronically stored information or other  
7 information produced by such Party in connection with discovery in this litigation (collectively,  
8 "Discovery Material"), as "Confidential" (referred to as "Confidential Material" herein) if, in good  
9 faith, the Party producing the Discovery Material (the "Producing Party") believes:

- 10 a. the material contains non-public, proprietary or commercially sensitive  
11 information;
- 12 b. the material requires the protections provided in this Protective Order to  
13 prevent unreasonable annoyance, expense, embarrassment, disadvantage or  
14 prejudice to any person or entity;
- 15 c. the material contains personally identifying information of any individual,  
16 including but not limited to social security numbers and financial account  
17 numbers;
- 18 d. any "Nonparty Borrower Information," which for purposes of this  
19 Protective Order shall mean any document that constitutes "nonpublic  
20 personal information" within the meaning of the Gramm Leach Bliley Act,  
21 15 U.S.C. § 6802, et seq., and its implementing regulations, including but  
22 not limited to any portion of a mortgage loan file or servicing record or  
23 other document which includes financial information for any person  
24 (including any credit history, report or score obtained on such a person to  
25 determine the individual's eligibility for credit) together with personally  
26 identifiable information with respect to such person, including name,  
27 address, social security number, loan number, telephone number, place or  
28 position of work;

- 1 e. documents or data which may constitute “consumer reports” as that term is  
2 defined in the Fair Credit Reporting Act, 15 U.S.C. § 1681, et seq.;
- 3 f. extracts and summaries of information described in subparagraph (d) that  
4 disclose any financial or credit information for any person together with  
5 personally identifiable information with respect to such person, which  
6 extracts and summaries shall also be considered Nonparty Borrower  
7 Information; or
- 8 g. any other category of information hereinafter given confidential status by  
9 the Court.

10 3. Confidential Material, information derived therefrom or any other documents or  
11 materials reflecting or disclosing any Confidential Material may only be used in this litigation and  
12 shall not be used for any other purpose. In addition to the protection provided to materials deemed  
13 Confidential pursuant to this Protective Order, the Parties understand and recognize that there are  
14 various obligations relating to the disclosure and use of Nonparty Borrower Information arising  
15 from various federal and state laws, including without limitation, the Gramm Leach Bliley Act, 15  
16 U.S.C. § 6802, et seq. and the Fair Credit Reporting Act, 15 U.S.C. § 1681, et seq., and shall abide  
17 by all such federal and state laws applicable to them.

18 4. To the extent any federal or state law governing the disclosure and use of Nonparty  
19 Borrower Information permits such disclosure only as required by an order of a court, the  
20 Producing Party’s production of Nonparty Borrower Information in accordance with this  
21 Protective Order shall satisfy and constitute compliance with such requirement. To the extent any  
22 such laws require a producing party to give notice to the subject of any Nonparty Borrower  
23 Information prior to disclosure, the Court finds that there is good cause to excuse such  
24 requirement. Any Producing Party may take such additional actions, or seek additional orders  
25 from this Court, which such Party believes may be necessary to comply with any federal or state  
26 laws governing the disclosure of Nonparty Borrower Information.

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2 DATED: May 3, 2012

JENKINS MULLIGAN & GABRIEL LLP

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By: /s/ Daniel J. Mulligan

Daniel J. Mulligan (SBN 103129)

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DATED: May 3, 2012

LAW OFFICE OF PETER FREDMAN

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Attorneys for Plaintiff Marie Gaudin, for herself and  
persons similarly situated

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DATED: May 3, 2012

BINGHAM MCCUTCHEN LLP

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By: /s/ Jeanette V. Torti

Jeanette V. Torti

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DATED: May 10, 2012

SEVERSON & WERSON  
aProfessional Corporation

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By: /s/ Erik Kemp

Erik Kemp

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Attorneys for Defendant Saxon Mortgage Services, Inc.

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I, Erik Kemp, am the ECF user whose identification and password are being used to file  
this Addendum To Stipulation and (Proposed) Order Governing Confidentiality of Discovery  
Material. I hereby attest that Daniel J. Mulligan, Peter B. Fredman, and Jeanette V. Torti have  
concurred in this filing.

28

/s/ Erik Kemp

1 PURSUANT TO STIPULATION, IT IS SO ORDERED.

2  
3 DATED: 5/10/12



RICHARD SEEBORG  
United States District Judge